

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>CLIVE ANTHONY JAMES</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>WINSTON S. MCFARLANE</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to distribute</b>
<b>ORAL HOSA BECKFORD</b>	<b>:</b>	<b>100 kilograms or more of marijuana -</b>
	<b>:</b>	<b>1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841 (possession with intent to</b>
	<b>:</b>	<b>distribute 100 kilograms or more of</b>
	<b>:</b>	<b>marijuana - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	<b>:</b>	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. In or about January, 2010, in Macungie, in the Eastern District of Pennsylvania, and elsewhere, defendants

**CLIVE ANTHONY JAMES,  
WINSTON S. MCFARLANE, and  
ORAL HOSA BECKFORD**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 100 kilograms or more, that is, approximately 166 kilograms, of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(B).

### MANNER AND MEANS

It was part of the conspiracy that

2. Defendant CLIVE ANTHONY JAMES arranged with Person # 1, an uncharged coconspirator known to the grand jury (Person # 1) to transport bales of marijuana from Arizona to Pennsylvania via a rental truck for further distribution in Pennsylvania.

3. At the direction of defendant CLIVE ANTHONY JAMES, Person # 1 delivered bales of marijuana (approximately 166 kilograms) to a location in Lower Macungie Township.

4. Defendants WINSTON S. MCFARLANE and ORAL HOSA BECKFORD assisted defendant CLIVE ANTHONY JAMES by accepting delivery of and unloading the bales of approximately 166 kilograms of marijuana in Lower Macungie Township.

### OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants CLIVE ANTHONY JAMES, WINSTON S. SEYMOUR and ORAL HOSA BECKFORD, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

On or about January 26, 2010:

1. Defendant CLIVE ANTHONY JAMES spoke to Person #1 by mobile telephone, to get an update about Person #1's progress in driving a rental truck containing bales of marijuana from Arizona to Pennsylvania.

On or about January 27, 2010:

2. Defendant WINSTON S. MCFARLANE rented storage unit #307, located at the Lower Macungie Self Storage Facility ("Storage Facility") 2830 Route 100 in Macungie, Pennsylvania,

and possessed the key to storage unit #307.

3. At approximately 11:00 a.m., defendant CLIVE ANTHONY JAMES spoke again to Person #1 about Person #1's progress traveling from Arizona to Pennsylvania. During the phone conversation, defendant JAMES instructed Person #1 that when he arrived in Allentown, he should wait at the Wingate Hotel for further instructions to deliver the marijuana to defendant JAMES.

4. Defendant CLIVE ANTHONY JAMES drove to the Wingate Hotel in an Audi motor vehicle bearing registration number HBJ-6602, circled the hotel parking lot, and stopped by the rental truck carrying the bales of marijuana.

5. At approximately 1:27 p.m., defendant CLIVE ANTHONY JAMES contacted Person #1 by mobile telephone and instructed Person #1 to leave the Wingate hotel and drive to the Storage Facility.

6. At approximately 1:30 p.m., defendants CLIVE ANTHONY JAMES and ORAL HOSA BECKFORD followed the rental truck driven by Person #1 to the Storage Facility in a green Dodge Caravan, bearing Pennsylvania Registration GYC-0332 and registered to defendant WINSTON S. MCFARLANE.

7. Prior to entering the gated area of the Storage Unit, defendants CLIVE ANTHONY JAMES and ORAL BECKFORD circled outside the gated area in the Dodge Caravan, then entered the gated area of the Storage Facility, and traveled to storage unit #307, where the rental truck was parked backed up to unit #307.

8. Defendants CLIVE ANTHONY JAMES, WINSTON S. MCFARLANE, and ORAL HOSA BECKFORD removed bales of marijuana hidden inside couches located inside the rental truck and placed them in duffle bags.

9. Defendants CLIVE ANTHONY JAMES, WINSTON S. MCFARLANE, and ORAL HOSA BECKFORD removed the duffle bags filled with bales of marijuana from the rental truck and placed them inside storage unit #307.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 2 through 4, and Overt Acts 1 through 9 of Count One of this indictment are incorporated here.

2. On or about January 27, 2010, in Macungie, in the Eastern District of Pennsylvania, and elsewhere, defendants

**CLIVE ANTHONY JAMES,  
WINSTON S. MCFARLANE, and  
ORAL HOSA BECKFORD**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 100 kilograms or more, that is, approximately 166 kilograms, of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1), as set forth in this indictment, defendants

**CLIVE ANTHONY JAMES,  
WINSTON S. MCFARLANE, and  
ORAL HOSA BECKFORD**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided with out difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**MICHAEL L. LEVY**  
**United States Attorney**